

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(B)

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In Re:  
703 Bakery Corp. dba Patis  
  
Debtor

Case No.: 24-15150-VFP  
Judge: *Vincent F. Papalia*  
Chapter: 11 Subchapter V

**CREDITOR'S CERTIFICATION OF DEFAULT**

Alla Kachan Esq., Law Offices of Alla Kachan P.C., the attorney for Frank Gargiulo and Son Inc. d/b/a Gargiulo Produce ("Gargiulo") certifies as follows:

1. I am an attorney for Frank Gargiulo and Son Inc. d/b/a Gargiulo Produce ("Gargiulo"), a secured creditor of the debtor.
2. On December 16, 2024, the Court entered an Order confirming Debtor's Combined First Amended Plan of reorganization and Disclosure Statement (the "Confirmation Order") (Docket # 220) provided that Frank Gargiulo and Son Inc. d/b/a Gargiulo Produce ("Gargiulo"), is hereby deemed to have a secured claim in the amount of \$114,817.00, a copy of which is attached as an exhibit. Upon approval of the Plan, the Debtor was to tender sixty (60) equal monthly payments in the amount of \$1,913,61 to Gargiulo. The first payment under the Confirmation order was to be tendered on March 1, 2025, and each subsequent payment was due on the 1st day of each month thereafter until all sixty (60) payments are made. The Order confirming Debtor's Combined First Amended Plan of reorganization and Disclosure Statement provided that if the Debtor

fails to make any payment or to perform any other obligation required under the confirmed Plan and such failure continues for a period of thirty (30) days after the due date of such payment or performance, the following shall apply:

(a) Notice of Default: The Creditor(s) shall provide written notice of the default to the Debtor and the Debtor's attorney(s). The notice shall be by regular mail and email, shall specify the nature of the default and provide the Debtor with an additional fifteen (15) days to cure the default.

3. 703 Bakery Corp. dba Patis is in default of the Confirmation Order, in this proceeding, by reason of their failure to:
  - Initiate the monthly payments to Frank Gargiulo and Son Inc. d/b/a Gargiulo Produce ("Gargiulo") in accordance with the Order confirming Debtor's Combined First Amended Plan of reorganization and Disclosure Statement.
4. On May 7, 2027, a Notice of Default was properly served on the Debtor and the Debtor's attorney via priority mail and email. As of the date of this Certification of default, the Debtor filed to cure the default.
5. This certification is being made in an effort to compel the Debtor to cure the default or in alternative to declare default and to vacate the stay.

Dated: June 12, 2025  
Brooklyn, New York

Respectfully Submitted,  
/s/ Alla Kachan, Esq.  
Alla Kachan, Esq.  
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